

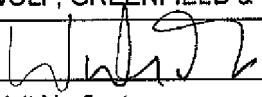
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| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | Patent#: 7,541,161 |
| | Filing Date | Issued: June 2, 2009 |
| | First Named Inventor | Andrew H. Fischer |
| | Art Unit | 1797 |
| | Examiner Name | W. H. Beisner |
| Total Number of Pages in This Submission | Attorney Docket Number | U0120.70019US00 |

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449 Copies of cited references |
| <div style="border: 1px solid black; padding: 5px; min-height: 40px;"> Remarks </div> | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | WOLF, GREENFIELD & SACKS, P.C. | | |
| Signature |  | | |
| Printed name | Walt Norfleet | | |
| Date | 6/8/09 | Reg. No. | 52,078 |

Certificate of Electronic Filing Under 37 CFR 1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: 6/8/09

Signature:  (Amelia S. Lennon)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrew H. Fischer
Serial No.: 10/775,767
Confirmation No.: 8715
Filed: February 10, 2004
For: METHOD AND APPARATUS FOR PREPARING CELLS
FOR MICROTOME SECTIONING AND ARCHIVING
NUCLEIC ACIDS AND PROTEINS
Examiner: William H. Beisner
Art Unit: 1797

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| Certificate of Electronic Filing Under 37 CFR 1.8 | |
| I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4). | |
| Dated: <u>June 8, 2009</u> | Signature: <u>Amelia S. Lennon</u> (Amelia S. Lennon) |

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Madam:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant submits this Information Disclosure Statement. This Information Disclosure Statement has been filed under 37 C.F.R. § 1.97(i) to be placed in the file of the above referenced patent application.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant also respectfully points out that each of the references listed on the accompanying PTO-1449 (modified PTO/SB/08), including DE 29 28 790, JP 2000-146782, are of record in the above-identified application at least by virtue of being of record in parent U.S. patent no. 6,913,921, and by virtue of being cited and applied by the Examiner in the office

action that was mailed on May 16, 2007, even though these references were not listed on the form PTO-892 that accompanied the office action of May 16, 2007. Additionally, a translation of JP 2000-146782 was previously submitted in an information disclosure statement and considered by the Examiner on February 13, 2008.

PART III: Remarks

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

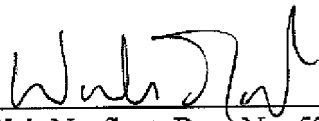
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:


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Telephone: (617) 646-8000

Docket No.: U0120.70019US00
Date: June 8, 2009
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